



Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead



Hearing Date: May 13th
Advancing Planning

April 28, 2008

Bruce W. McClendon FAICP
Director of Planning

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

SUBJECT: HEARING ON ORDINANCE EXTENDING INTERIM ORDINANCE NO. 2008-0012U WHICH TEMPORARILY REGULATES THE DEVELOPMENT OF ALL COMMERCIALY-ZONED PARCELS IN THE UNINCORPORATED COMMUNITY OF AZUSA HAVING ANY FRONTAGE ON ARROW HIGHWAY LOCATED EASTERLY OF VINCENT AVENUE AND WESTERLY OF CERRITOS AVENUE BY REQUIRING A CONDITIONAL USE PERMIT (4-VOTES).

IT IS RECOMMENDED THAT YOUR BOARD AFTER THE PUBLIC HEARING:

Adopt the ordinance extending Interim Ordinance No. 2008-0012U for a period of 10 months and 15 days.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

With the adoption of Interim Ordinance No. 2008-0012U, the Board found that unrestricted future development of commercially-zoned property in the unincorporated community of Azusa without the necessary evaluation provided through the conditional use permit review process may negatively impact and detract from the physical appearance, conditions and character of the area. Unless the interim ordinance is extended, an irreversible incompatibility of land uses might occur as a result of approval of applicable entitlements. Accordingly, the Board of Supervisors found that there is a current and immediate threat to public health, safety and welfare. The extension of Interim Urgency Ordinance No. 2008-0012U will allow the Department of Regional Planning (DRP) staff sufficient time to complete a comprehensive zoning study and for the Board of Supervisors to consider adoption of possible zoning ordinance amendments for the following area:

"All commercially-zoned property having any frontage on, or lying totally or partially within 350 feet of, that portion of Arrow Highway located easterly of Vincent Avenue and westerly of Cerritos Avenue within the unincorporated

community of Azusa in unincorporated Los Angeles County."

FISCAL IMPACT/FINANCING

Extension of said Interim Urgency Ordinance would not result in any fiscal impacts or financing as the zoning compatibility study would be conducted with currently budgeted staffing and resources.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The urgency measure, first adopted by your Board on April 1, 2008, will expire on May 16, 2008, unless extended by Board action. A zoning study to review all commercially-zoned properties in the affected area and to assess zoning compatibility with the surrounding community has been initiated by the DRP. Thorough research and a detailed analysis of the issues are needed before considering a permanent zoning ordinance amendment. Additional time is needed to meet with the affected parties and neighboring city agencies to develop appropriate recommendations. If the urgency ordinance is not extended, commercial development may be approved without the benefit of a zoning compatibility study and a public hearing, potentially causing irreversible incompatibility of land uses.

Pursuant to Section 65858 of the Planning and Zoning Law (Title 7 of the California Government Code), Interim Urgency Ordinance No. 2008-0012U was adopted by the Board of Supervisors on April 1, 2008. The urgency measure temporarily requires a conditional use permit prior to development on all commercially-zoned parcels in the unincorporated community of Azusa having any frontage on, or lying totally or partially within 350 feet of, that portion of Arrow Highway located easterly of Vincent Avenue and westerly of Cerritos Avenue.

The provisions of Section 65858 limit the effective period of Interim Urgency Ordinance No. 2008-0012U to only forty-five (45) days. In view of the approaching May 16, 2008 expiration date, it is recommended that the Interim Urgency Ordinance be extended for ten months and 15 days as provided in Section 65858. This will allow sufficient time for the DRP to complete the zoning study, including recommended changes to the Zoning Code if needed. As noted above, if the Interim Urgency Ordinance No. 2008-0012U is not extended, unrestricted development of commercially-zoned parcels along the corridor may negatively impact the character of the area.

Extension of this ordinance requires that the Board conduct a public hearing at which time the ordinance extending the Interim Urgency Ordinance may be adopted by no less than a four-fifths vote. The date of the public hearing is set for May 13, 2008. Publication of a

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notice of this public hearing will take place not less than ten (10) days prior to the hearing date, as required.

IMPACT ON CURRENT SERVICES OR PROJECTS

The proposed ordinance has no impact on current services or projects as the zoning compatibility study and associated tasks could be conducted without additional resources and staff.

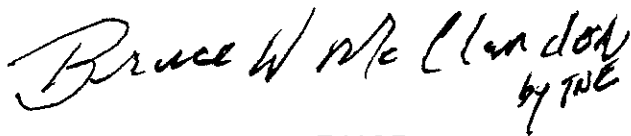
CONCLUSION

Extension of Interim Ordinance 2008-0012U would ensure that proposed commercially developed projects in the unincorporated Azusa area would receive necessary evaluation provided through the Conditional Use Permit review and public hearing process. Said Interim Ordinance would also provide staff with sufficient time to conduct a zoning compatibility analysis and make appropriate recommendations. This extension would not generate any fiscal impacts or adversely impact current services or projects.

The proposed ordinance, extending Interim Urgency Ordinance No. 2008-0012U has been prepared by County Counsel. A suggested notice of public hearing is also attached. If you have any questions, please contact me or Russell Fricano of my staff at (213) 974-4885.

Respectfully submitted,

DEPARTMENT OF REGIONAL PLANNING

A handwritten signature in black ink that reads "Bruce W. McClendon" with "by JWC" written below it.

Bruce W. McClendon, FAICP
Director of Planning

BWM:RDH:RJF:SFR:MT

Attachments: Sample public hearing notice
Ordinance

c: County Counsel

**NOTICE OF PUBLIC HEARING
ON PROPOSED ORDINANCE EXTENDING
INTERIM URGENCY ORDINANCE NO. 2008-0012U**

NOTICE IS HEREBY GIVEN that a public hearing will be held before the Board of Supervisors, in Room 383 of the Kenneth Hahn Hall of Administration, 500 West Temple Street, Los Angeles, California 90012 at **9:30 a.m. on May 13, 2008**, pursuant to Government Code Section 65858, to hear testimony related to the proposed ordinance extending Interim Urgency Ordinance No. 2008-0012U for a period not to exceed ten months and 15 days as provided in Government Code Section 65858.

Said Interim Urgency Ordinance temporarily regulates the development of commercially-zoned parcels having any frontage on, or lying totally or partially within 350 feet of, that portion of Arrow Highway located easterly of Vincent Avenue and Westerly of Cerritos Avenue within the unincorporated community of Azusa in unincorporated Los Angeles County by requiring a conditional use permit prior to such development.

Written comments may be sent to the Executive Office of the Board of Supervisors at the above address. If you do not understand this notice or need more information, please call the Community Studies I Section of the Los Angeles County Department of Regional Planning at (213) 974-4885 between the hours of 7:30 a.m. and 6:00 p.m., Monday through Thursday. The offices are closed on Fridays.

“ADA ACCOMMODATIONS: If you require reasonable accommodations or auxiliary aids and services such as material in alternative format or a sign language interpreter, please contact the ADA (Americans with Disabilities Act) Coordinator at (213) 974-6488 (voice) or (213) 617-2292 (TDD), with at least three business days notice.”

Si no entiende este aviso o necesita más información, por favor llame este número (213) 974-4899.

SACHI A. HAMAI
EXECUTIVE OFFICER-CLERK OF
BOARD OF SUPERVISORS



COUNTY OF LOS ANGELES
OFFICE OF THE COUNTY COUNSEL

648 KENNETH HAHN HALL OF ADMINISTRATION
500 WEST TEMPLE STREET
LOS ANGELES, CALIFORNIA 90012-2713

RAYMOND G. FORTNER, JR.
County Counsel

April 28, 2008

TELEPHONE
(213) 974-1930
FACSIMILE
(213) 687-7337
TDD
(213) 633-0901

Bruce McClendon, Director
Department of Regional Planning
1390 Hall of Records
320 West Temple Street
Los Angeles, California 90012

Re: Arrow Highway Interim Urgency Ordinance

Dear Mr. McClendon:

As requested, enclosed are the analysis and ordinance extending Interim Ordinance 2008-0012U to temporarily regulate the use of all commercially-zoned parcels in the unincorporated Azusa area having any frontage on, or lying totally or partially within 350 feet of, that portion of Arrow Highway located easterly of Vincent Avenue and westerly of Cerritos Avenue. This extension ordinance will require a four-fifths vote by the Board. If approved, it will only extend Interim Ordinance No. 2008-0012U and makes no other modification.

We understand that this ordinance will be considered by the Board of Supervisors at a hearing meeting on May 13, 2008.

Very truly yours,

RAYMOND G. FORTNER, JR.
County Counsel

By

ELAINE M. LEMKE
Principal Deputy County Counsel
Property Division

APPROVED AND RELEASED:

LEELA A. KAPUR
Chief Deputy County Counsel

EML:gl

Enclosures

HOA.519196.1

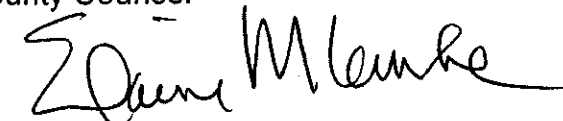
ANALYSIS

This ordinance extends Interim Ordinance No. 2008-0012U for a maximum period of 10 months and 15 days to March 31, 2009. Interim Ordinance No. 2008-0012U, adopted on April 1, 2008, and effective for only 45 days, temporarily regulates the development of all commercially-zoned parcels in the unincorporated community of Azusa having any frontage on, or lying totally or partially within 350 feet of, that portion of Arrow Highway located easterly of Vincent Avenue and westerly of Cerritos Avenue by requiring a conditional use permit prior to such development. Interim Ordinance No. 2008-0012U is scheduled to expire on May 16, 2008, unless extended pursuant to Government Code section 65858.

This extension ordinance is an urgency measure and requires a public hearing and a four-fifths vote by the Board of Supervisors for adoption.

RAYMOND G. FORTNER, JR.
County Counsel

By



ELAINE M. LEMKE
Principal Deputy County Counsel
Property Division

EML:gl

4/23/08 (requested)

4/24/08 (revised)

ORDINANCE NO. _____

An ordinance extending Interim Ordinance No. 2008-0012U, temporarily regulating the use of all commercially-zoned parcels in the unincorporated Azusa area having any frontage on, or lying totally or partially within 350 feet of, that portion of Arrow Highway located easterly of Vincent Avenue and westerly of Cerritos Avenue, and declaring the urgency thereof and that this ordinance will take effect on May 16, 2008.

The Board of Supervisors of the County of Los Angeles ordains as follows:

Section 1. Interim prohibition.

Pursuant to section 65858 of the Government Code, the Board of Supervisors, having held a public hearing, hereby extends Interim Ordinance No. 2008-0012U to March 31, 2009. Interim Ordinance No. 2008-0012 provided, and this extension similarly provides, that unless a conditional use permit is first issued in accordance with the procedures set forth in Part 1 of Chapter 22.56 of said Title 22, no buildings or building additions or other development shall be permitted on property that: (1) is located within the area described in Section 6, below; and (2) is zoned for commercial use as defined in Title 22 of the Los Angeles County Code.

SECTION 2. Adoption and expiration of initial interim ordinance; authority.

Interim Ordinance 2008-0012U was adopted on April 1, 2008. Unless this ordinance takes effect on or before May 16, 2008, Interim Ordinance No. 2008-0012U will expire. California Government Code section 65858 provides that any urgency

measure in the form of an initial interim ordinance may be adopted without following the procedures otherwise required prior to adoption of a zoning ordinance, by a four-fifths vote of the board of supervisors, which shall be effective for only forty-five (45) days following its adoption. Government Code Section 65858 further provides that such an urgency measure may be extended, following compliance with that section, for an additional 10 months and 15 days beyond the original 45-day period, and it can be extended a second time for an additional year.

SECTION 3. Definitions and penalties.

The definitions and penalties for land use violations that are prescribed in Title 22 of the Los Angeles County Code shall apply to the interpretation and violations of the provisions of this extended interim ordinance.

SECTION 4. Zoning study initiated, determination of immediate threat.

The Los Angeles County Regional Planning Department ("Planning Department") has commenced a comprehensive zoning study to review all commercially-zoned properties in the affected Azusa area to consider a possible permanent zoning ordinance amendment. The Planning Department study will review development and use standards to, among other things, assess compatibility of development along Arrow Highway with the closely linked neighboring communities to promote a harmonious mix of uses, development standards, and architectural styles in accordance with goals and standards for good planning. Allowing commercial development in the affected area to proceed without the oversight provided by the review process for a conditional use

permit may negatively impact and detract from the physical appearance, conditions, and character of the area. Unless this interim ordinance is extended as provided for herein, an irreversible incompatibility of land uses might reasonably occur as a result of the approval of additional subdivisions, variances, building permits, site plans, or other applicable entitlements, all to the detriment of the public health, safety, and welfare. Accordingly, the board of supervisors finds that there is a current and immediate threat to the public health, safety, or welfare, and that the approval of additional subdivisions, variances, building permits, site plans, or any other applicable entitlements for use would result in that threat to the public health, safety, or welfare absent extension of the restrictions contained in Interim Ordinance No. 2008-0012U. If this ordinance does not take effect on or prior to May 16, 2008, uses that may be in conflict with any permanent amendment to the zoning code for the affected Azusa area that may be adopted as a result of the Planning Department study might be established, and these uses may continue after any permanent rezoning of the properties described in Section 6.

SECTION 5. Severability.

If any provision of this interim ordinance extension or the application thereof to any person, property, or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provisions or application, and, to this end, the provisions of the interim ordinance are hereby declared to be severable.

SECTION 6. Area of applicability.

This interim ordinance extension applies to parcels in the unincorporated Azusa area having any frontage on, or lying totally or partially within 350 feet of, that portion of Arrow Highway located easterly of Vincent Avenue and westerly of Cerritos Avenue.

SECTION 7. Urgent need.

This interim ordinance extension is urgently needed for the immediate preservation of the public health, safety, and welfare, and it shall take effect on May 16, 2008, and it shall be of no further force and effect 10 months and fifteen (15) days following the date of its taking effect unless further extended in accordance with the provisions set forth in Government Code section 65858.

[AZUSAURGORDEXTLCC]